HCJ & CVRJ

WRIT APPEAL NO.1540 OF 2003

ORAL ORDER:

(per The Hon'ble The Chief Justice Sri Devinder Gupta)

Appeal is against the interim order passed by the learned single Judge directing the appellant to deposit the entire wages as per the order impugned in the writ petition and permitting the respondent to withdraw half of the wages without furnishing security. Main ground for challenge by the appellant before the learned single Judge is jurisdiction of the authority under the Payment of Wages Act to entertain respondents' application. Admittedly, respondents are drawing wages more than Rs.1,600/- per month and in such case same this Court in TYRE RETREADING SHOP COMMITTEE v A.P.S.R.T.C.[1] held that the authority is not competent to entertain disputes as regards payment of wages or delayed payment of wages and therefore learned single Judge ought to have granted stay.

Appeal is allowed. Impugned order is set aside. During the pendency of the writ petition there will be stay of operation of the order passed by the authority under the Payment of Wages Act.

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DEVINDER GUPTA, CJ

1_____

C.V.RAMULU, J

16th September, 2003.
Issue CC in one week.
B/o
nmr

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[1] 1999 (5) ALT 122